

Planning Statement

111 King's Cross Road, London, WC1X 9LR

1. Introduction

1.1. This statement is prepared on behalf of Mr Muhammad Nasir Mahmood in support of the resubmission of an application for Prior Approval in respect of the following proposal:

Change of use of basement and ground floor from financial services (Class A2) to restaurant (Class A3) and associated alterations including the installation of extraction system to rear.

1.2. The previous application was registered on 25-02-2019 under reference 2019/0887/P. Prior approval was required and refused, this response was received on 15th April 2019.

1.3. The application seeks Prior Approval permission under Class C, Part 3 of the GDPO (2015) for change of use of the ground floor from financial services (Class A2) to a restaurant (Class A3).

1.4. This statement provides the background information on the site and assessment of the proposal relating to planning policy and other material considerations.

1.5. This statement should be read in conjunction with the following documents:

- 1.5.1. Existing & proposed basement floor plan
- 1.5.2. Existing & proposed ground floor plan
- 1.5.3. Existing & proposed front elevations
- 1.5.4. Existing & proposed rear elevations
- 1.5.5. Site location plan
- 1.5.6. Noise impact assessment
- 1.5.7. Odour report

2. Site and Surroundings

- 2.1. The application site is a three storey plus mansard mid-terrace house on the east of Kings Cross Road which is located within the Bloomsbury Conservation Area.
- 2.2. The site is bordered by Acton Street and Kings Cross Road. It is one of a curved terrace of six nineteenth century premises.
- 2.3. The basement and first floor are currently designated as A2 use. The upper storeys form residential use.
- 2.4. The building is not designated as being listed but as mentioned above is located within the Bloomsbury Conservation Area.



Existing building

- 2.5. The surrounding area consists of a range of land uses ranging from A1 to A5.
- 2.6. The site has a very good level of public transport acceptability level (PTAL level 6B), indicating an area of high public accessibility by all sustainable modes of transport.

3. Planning History

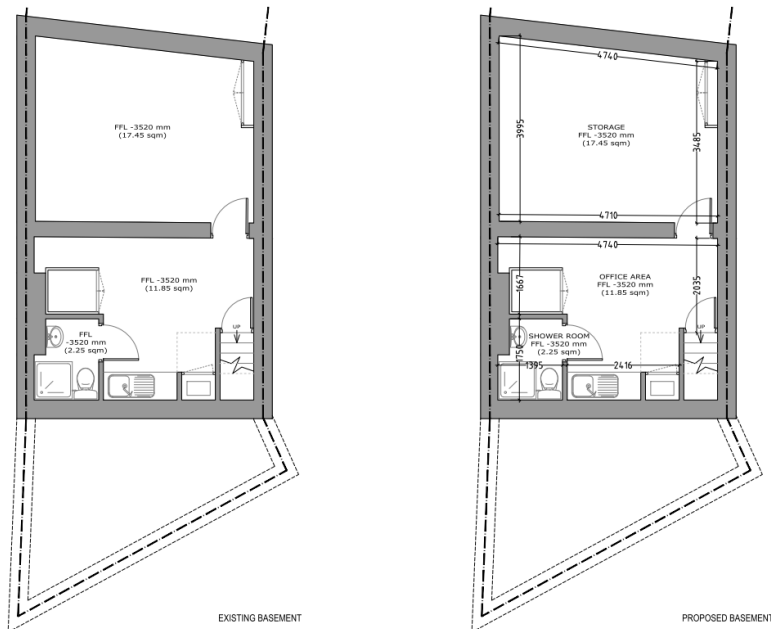
3.1. The relevant planning history for the site is set out below:

Application Number	Site Address	Development Description	Status	Date Registered	Decision
2019/0887/P	111 King's Cross Road London WC1X 9LR	Change of use of basement and ground floor from financial services (Class A2) to restaurant (Class A3) and associated alterations including the installation of extraction system to rear.	FINAL DECISION	25-02-2019	Prior Approval Required - Approval Refused

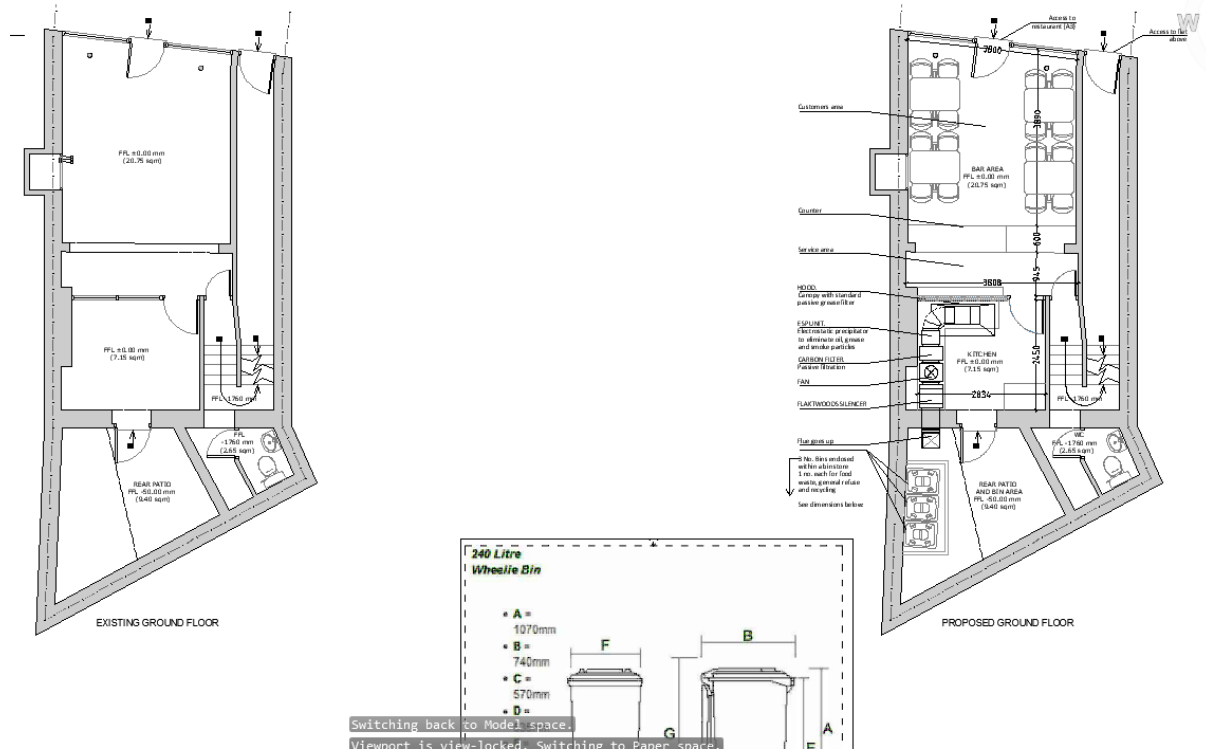
4. Proposal

4.1. The application seeks Prior Approval permission for change of use of the ground floor from financial services (Class A2) to a restaurant (Class A3).

4.2. At basement level, the area is to be converted into an office with a shower room and a storage area.



4.3. At ground floor level, a restaurant area is proposed to the front of the shop with the kitchen area located to the rear. At the rearmost part of the building will be bin enclosure.



4.4 The front elevation will have minor changes to update the façade. A new signboard is proposed, and the fenestration divisions are to remain as per existing.

4.5 To the rear of the building, an extraction flue is proposed. It is approx. 0.5m in diameter, stainless steel finish and will follow the profile of the mansard roof. It will terminate 1m above the roof.

4.6 In terms of access the proposal would provide a level threshold for wheelchair users.

4.7 The proposed opening times are set as follows:

4.7.1 11:00-00:00 Monday to Saturday

4.7.2 11:00-23:30 Sunday

Staff will be on site outside of these opening hours.

5. Planning Considerations

- 5.1. The change of use is subject to a number of conditions listed within sub-paragraph C.1 [(a)-(e)] and a subsequent condition in sub-paragraph C.2 relating to the need for the developer to apply to the local planning authority for a determination as to whether prior approval of the authority is required for:
- (a) noise impacts of the development;
 - (b) odour impacts of the development;
 - (c) impacts of storage and handling of waste in relation to the development;
 - (d) impacts of the hours of opening of the development;
 - (e) transport and highways impacts of the development;
 - (f) whether it is undesirable for a building to change to a use falling within Class A3 (restaurants and cafes) of the Schedule of the Use Classes Order of the impact of the change of use-
 - (i) on adequate provision of services of the sort that may be provided by a building falling within Class A1 or Class A2 (as appropriate) of that Schedule, but only where there is a reasonable prospect of the building being used to provide such services, or
 - (ii) where the building is located in a key shopping area, on the sustainability of the shopping area; and
 - (g) the siting, design or external appearance of the facilities to be provided under Class C(b)
- 5.2. The application includes a noise report for the extraction flue proposed to the rear of the site. It is noted that the proposal would have an adverse impact on the amenity of the adjoining residential occupiers.
- 5.3. An odour report has been prepared for the application and demonstrates that the emissions are within acceptable levels and the neighbouring properties will not be adversely affected. The flue is to terminate 1m above the roof.
- 5.4. The ground floor plan indicates 3no. 240L bins located to the rear of the building in a bin enclosure. The bins are to be labelled for food waste, general refuse and recycling. The adjacent commercial units have a waste collection arrangement with Veolia. The waste is to be collected and stored to the rear of the building. A set time is to be agreed with Veolia for collection and this will be either when the restaurant shuts or before it opens. The bins are to be wheeled to the front and presented for collection. As the bins are 240L they are easy to transport and store.



Bin enclosure

5.5. Please refer to section 4.7 relating to opening hours.

5.6. The proposed change is not likely to generate significant travel demand. The size of the unit does not warrant cycle parking facilities. There are cycle parking spaces to the front highway. If staff were to cycle to work, then they can easily park their cycles to the rear.

5.7. The proposed change to A3 will not have a detrimental impact on the sustainability of the area. This is because, there are no local policies to protect the current use of A2 and the unit is not located in a designated shopping centre.

5.8. The plans and elevations show the siting of the ventilation system and refuse storage. The waste storage is located to the rear of the building and will not be visible from public views. Furthermore, a bin enclosure has been provided. The ventilation system is to run parallel to the windows of the rear elevation and is approx. 0.5m in diameter and stainless steel in finish. This is typical of flue sizes and finishes for businesses of this nature. Due to the nature of the premises and the proposed use, there is no other way this premises can function without an extraction system. The only suitable place for location is to the rear. The proposed flue cannot run through the building due to expensive remedial works and most importantly fire and acoustic reasons.